

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Karina-Ethel Petit et al.

Confirmation No.: 1347

Appln. No. : 10/581,226

Group Art Unit: 1625

Filed : February 26, 2007

Examiner: Gallis, David E.

For : NEUROACTIVE SUBSTANCE AND USES
OF ONE SUCH SUBSTANCE

Docket No. : U25.12-0001

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

FILED ELECTRONICALLY ON OCTOBER 15, 2010

Sir:

Applicant appreciates the issuance of the Notice of Allowance with the accompanying statement of the Examiner's reasons for allowance. However, this is a disavowal of any acquiescence in any particular claim interpretation that might be attributed to the examiner in the reason for allowance. Claim interpretation is established as a matter of law by the courts during appropriate adversarial proceedings. Any comment made by the examiner is not necessarily shared by applicant. Applicants does not waive any right to establish any claim interpretation, albeit different or even contrary to the examiner's interpretation, that can be supported by the record in this matter. Moreover, while applicant believes at least the allowed claims are allowable at least for the reasons of record, there might be other bases for allowability not yet fully explored or established. The reason for allowance sets forth only one view expressed by the examiner.

The Director is authorized to charge any fee deficiency required by this paper to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Z. Peter Sawicki, Reg. No. 30,214

900 Second Avenue South, Suite 1400

Minneapolis, Minnesota 55402-3244

Phone: (612) 334-3222

Fax: (612) 334-3312

ZPS:amh